

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SWANSON, FELDMAN, Art Unit:
SCHLEPER, DeLONG and
PRESTON
Parent Serial No.: 09/408,020 Examiner:
Parent Filing Date: September 29, 1999
Serial No.:
Filed:
Title: NUCLEIC ACIDS AND PROTEINS FROM CENARCHAEUM
SYMBIOSUM

Commissioner for Patents
Washington, D.C. 20231

PERMISSION TO USE SEQUENCE LISTING

Sir:

The above-identified patent application lacks a substitute paper copy of the Sequence Listing for inclusion into the Specification, as well as a computer readable form of the Sequence Listing. Applicants respectfully direct the attention of the Office to the following:

1. A complete paper copy of the Sequence Listing is included in the Specification and is identical to the computer readable copy of the Sequence Listing filed in U.S. Patent Application No. 09/408,020 (the "020 application"), filed September 29, 1999.
2. A computer-readable form in this application is identical with that filed in the "020 application", filed September 29, 1999. Pursuant to 37 CFR §1.821(e), please use the last-filed computer readable form filed in the "020 application" as the computer readable form for this application. It is understood that the Patent and Trademark Office will make the necessary

SWANSON, FELDMAN, SCHLEPER, DeLONG and PRESTON

Application No.: 09/408,020

Filed: September 29, 1999

Page 2

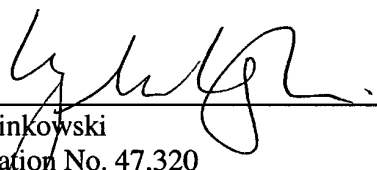
change in application number and filing date for the computer readable form that will be used for this application.

I hereby state, as required by 37 C.F.R. § 1.821 (g), that the enclosed submission includes no new matter. Applicants submit that the foregoing satisfies the requirements of Rule §1.821. If there are any questions regarding this response, the Office is invited to contact the attorney of record, Lisa A. Haile, Ph.D., at the address or telephone number listed below.

It is understood that this perfects the application and no additional papers or filing fees are required. If there are any other charges, or any credits, please apply them to Deposit Account 50-1355.

Respectfully submitted,

Dated: 12/21/01



Lynn Linkowski
Registration No. 47,320
Diversa Corporation
4955 Directors Place
San Diego, CA 92121
Telephone: 858-526-5450
Facsimile: 858-526-5950

Please direct all correspondence and inquires to:

Lisa A. Haile, Ph.D.
Gray Cary Ware & Freidenrich LLP
Registration No. 38,347
4365 Executive Drive, Suite 1100
San Diego, CA 92121-2133
Telephone: 858-677-1456
Facsimile: 858-677-1465

Customer Number: 28213